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7 The Honorable Kymberly K. Evanson
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12 UNITED STATES DISTRICT COURT
13 WESTERN DISTRICT OF WASHINGTON
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16 CYMBIDIUM RESTORATION TRUST,
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18 Plaintiff,

19 v.
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21 AMERICAN HOMEOWNER
22 PRESERVATION TRUST SERIES AHP
23 SERVICING; its Trustee, U.S. BANK TRUST
24 N.A.; AHP CAPITAL MANAGEMENT, LLC;
25 AMERICAN HOMEOWNER
26 PRESERVATION SERIES 2015A+; its Trustee,
U.S. BANK TRUST NATIONAL
ASSOCIATION; AHP SERVICING, LLC; and
JORGE NEWBERY,
Defendants.

NO. 2:24-cv-00025-KKE

UNOPPOSED STIPULATED MOTION
REGARDING BRIEFING CONCERNING
CERTAIN PENDING MOTIONS

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AMERICAN HOMEOWNER
PRESERVATION TRUST SERIES AHP
SERVICING; AHP CAPITAL
MANAGEMENT, LLC; AMERICAN
HOMEOWNER PRESERVATION SERIES
2015A+; and AHP SERVICING, LLC,

Counter-Plaintiffs,

v.
CYMBIDIUM RESTORATION TRUST,
Counter-Defendant.

1 VAK CAPITAL TRUST I,

2 Intervenor-Defendant and
3 Counterclaim and
4 Crossclaim Plaintiff,

5 v.

6 CYMBIDIUM RESTORATION TRUST,

7 Counter-Defendant, and

8 AHP CAPITAL MANAGEMENT, LLC; and
9 AMERICAN HOMEOWNER
10 PRESERVATION SERIES 2015A+,

11 Cross-Defendants.

12 **I. STIPULATION**

13 Defendants filed two motions regarding which plaintiff's responses are due this Friday,
14 January 31, 2025. One is Defendants' Motion to Consolidate (Dkt. 115). The other is
15 Defendants' Motion to Continue Trial Date (Dkt. 119). The local rules provide that each of the
16 two briefs that plaintiff could submit in response to those motions should not exceed 4,200
17 words. LCR 7(e)(2). If plaintiff were to file two separate briefs in response to the motions,
18 plaintiff would have a combined total of 8,400 words for the two responses. Plaintiff, however,
19 is going to be filing one brief that is a combined response to both motions because of the nexus
20 between the issues raised in the motions. Plaintiff's combined response will be less than 5,600
21 words. Defendants do not oppose plaintiff's response brief addressing both motions being up to
22 5,600 words.

23 Defendants intend to file a combined reply brief concerning these same motions that will
24 not exceed 3,200 words. Defendants also request that the due date for their combined reply brief
25 be February 6. Plaintiff does not oppose defendants' combined reply brief being up to 3,200
26 words, and plaintiff does not oppose that brief being filed February 6.

The parties are unsure regarding whether or how the 4,200 words per brief limit would be applied in these circumstances. The parties therefore jointly request and hereby stipulate to the following relief:

1. Plaintiff's combined response to the Motion to Consolidate (Dkt. 115) and the
2. Motion to Continue (Dkt. 119) (together the "Motions") may be up to 5,600
3. words.
4. 2. Defendants' combined reply brief regarding the Motions (i) shall be filed by
5. February 6, 2025, and (ii) may be up to 3,200 words.

6. DATED this 29th day of January, 2025.

7. BYRNES KELLER CROMWELL LLP

8. By /s/ Bradley S. Keller

9. Bradley S. Keller, WSBA # 10665

10. By /s/ M. Victoria Molina

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13. **Attorneys for Defs. American Homeowner
14. Preservation Trust Series AHP Servicing,
15. AHP Capital Management, LLC, American
16. Homeowner Preservation Trust Series
17. 2015A+ and AHP Servicing, LLC**

18. **II. ORDER**

19. The parties' stipulated motion is GRANTED.

20. DATED this 31st day of January, 2025.

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23. Kymberly K. Evanson
24. United States District Judge
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